

Message Text

CONFIDENTIAL

PAGE 01 MOSCOW 20504 01 OF 02 261046Z
ACTION EUR-12

INFO OCT-01 ISO-00 HA-05 MCT-02 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 EB-08 INR-10 NSAE-00 FAA-00 L-03
SP-02 SY-05 CA-01 SS-15 NSC-05 VO-05 SMS-01 /077 W
-----119780 261118Z /12
R 261034Z AUG 78
FM AMEMBASSY MOSCOW
TO SECSTATE WASHDC 6069
INFO AMEMBASSY BONN

C O N F I D E N T I A L SECTION 01 OF 02 MOSCOW 20504

E.O. 11652: GDS
TAGS: EAIR, PINR, UR
SUBJECT: APPROACH TO USSR ON BONN SUMMIT ANTI-
HIJACKING DECLARATION

REF: (A) MOSCOW 20180, (B) MOSCOW 4042

SUMMARY: GERMAN CHARGE ON AUGUST 25 REPORTED HIS
DEMARCHE OF PREVIOUS DAY ON SOVIET DEPUTY FOREIGN
MINISTRY ZEMSKOV TO PRESENT BONN ANTI-HIJACKING
DECLARATION. ZEMSKOV ACCEPTED DECLARATION, WITH
WHICH HE SAID HE WAS FAMILIAR, BUT NOTED THAT
ACCEPTANCE DID NOT SIGNIFY APPROVAL. BERENDONCK
SAID THAT ZEMSKOV REFERRED TO SOVIET SUGGESTION OF
BILATERAL AGREEMENTS AS MOST EFFECTIVE WAY OF DEAL-
ING WITH HIJACKING, AN INDICATION THAT SOVIETS MAY
PLACE MORE STRESS ON THIS APPROACH, IN ORDER TO
INCREASE CHANCES THAT HIJACKERS OF SOVIET AIRCRAFT
WILL BE RETURNED TO SOVIET JURISDICTION. ZEMSKOV
STATED THAT USSR WOULD REPLY TO THE DEMARCHE AT AN
APPROPRIATE TIME. END SUMMARY.

1. ON AUGUST 25 GERMAN CHARGE BERENDONCK INFORMED
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 MOSCOW 20504 01 OF 02 261046Z

EMBASSY REPRESENTATIVES OF OTHER SIX SIGNATORIES
OF BONN ANTI-HIJACKING DECLARATION OF RESULTS OF
APPROACH MADE AUGUST 24 TO DEPUTY MINISTER OF
FOREIGN AFFAIRS IGOR' ZEMSKOV. BERENDONCK SAID
THAT SESSION, WHICH TRANSPIRED IN "FRIENDLY ATMOS-
PHERE," WAS ALSO ATTENDED BY AMB. ALEKSANDR
BONDARENKO, CHIEF OF THIRD EUROPEAN DEPARTMENT

(AUSTRIA/GERMAN) OF MFA.

2. DESCRIBING HIS MEETING WITH ZEMSKOV, BERENDONCK RELATED THAT HE AFTER NOTING THAT HE WAS SPEAKING FOR SEVEN COUNTRIES, READ THE BONN DECLARATION, HANDED THE TEXT IN GERMAN AND RUSSIAN TO ZEMSKOV AND REQUESTED THAT THE SOVIETS JOIN IN THE COMMITMENT UNDERTAKEN BY THE SEVEN. ZEMSKOV ACCEPTED THE PAPER, EXPLAINING THAT HE WAS AWARE OF THE RESOLUTION, AND SAID THE MFA WOULD EXAMINE THE DOCUMENT. HE ADDED THAT MFA WOULD RESPOND AT AN APPROPRIATE TIME. ZEMSKOV NOTED THAT HIS ACCEPTANCE OF THE DOCUMENT SHOULD NOT BE INTERPRETED AS A POSITIVE SOVIET REACTION TO THE PROPOSAL. HE THEN REFERRED TO THE SOVIET RESPONSE LAST MARCH TO THE APPROACH OF THE JAPANESE AMBASSADOR (REF B), IN WHICH HE SAID THAT THE USSR HAD SUGGESTED BILATERAL AGREEMENTS AS THE MOST EFFECTIVE WAY OF MEETING THE PROBLEM OF HIJACKING.

3. AFTER DRAWING A LINE BELOW HIS "OFFICIAL" RESPONSE, ZEMSKOV ASKED BERENDONCK'S "PERSONAL OPINION" ABOUT THE BRAZINSKAS CASE AND ABOUT (SEVERAL) CZECHOSLOVAK AIRCRAFT HIJACKED TO THE FRG. TO THE FIRST BERENDONCK STATED THAT HE WAS NOT AUTHORIZED TO MAKE COMMENT SINCE HE DID NOT KNOW THE LEGAL BACKGROUND (COMMENT: WE HAD INFORMED HIM IN ADVANCE OF THE CURRENT STATUS OF THE BRAZINSKAS CASE, BUT EITHER ON HIS OWN VOLITION OR BONN'S INSTRUCTIONS
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 MOSCOW 20504 01 OF 02 261046Z

BERENDONCK OPTED TO AVOID BEING DRAWN INTO A RESPONSE). TO THE SECOND POINT, BERENDONCK SAID, THAT THE AIRCRAFT HAD BEEN RETURNED TO CZECHOSLOVAKIA, IN MOST CASES ON THE SAME DAY, AND THE HIJACKERS BROUGHT TO COURT, TRIED UNDER GERMAN LAW AND "ARE NOW IN PRISON." BERENDONCK SAID HE HAD NOTED THAT THE DECLARATION GIVES THE OPTION OF EITHER EXTRADITING THE HIJACKERS OR BRINGING THEM TO PROSECUTION LOCALLY. HE SAID HE ADDED, AS A PERSONAL COMMENT, THAT HE VIEWED THE DECLARATION AS A MEANS OF IMPROVING THE SECURITY OF FUTURE AIR TRAFFIC.

4. ZEMSKOV THEN REVERTED TO THE SUBJECT OF BILATERAL AGREEMENTS ON HIJACKING, NOTING THAT USSR HAD SOME WITH "CAPITALIST COUNTRIES." HE REMINDED BERENDONCK THAT A PROPOSAL FOR SUCH A SOLUTION HAD BEEN MADE TO THE FRG. (THE FRENCH CHARGE INQUIRED IF THE PROPOSAL TO THE FRG HAD BEEN MADE "LONG AGO," BERENDONCK FIRST STATED THAT THE PROPOSAL WAS MADE TO THE FRG IN THE CONTEXT OF THE TOKYO CONVENTION AND SAID SUBSEQUENTLY THAT IT HAD BEEN MADE TO HIM BY KHLESTOV (HEAD OF THE MFA TREATY AND LEGAL DEPARTMENT EARLY IN 1978.) ZEMSKOV THEN MADE ONE MORE "PERSONAL" REMARK, STATING THAT IN HIS VIEW HIJACKING

OF AIRCRAFT SHOULD BE APPROACHED ON A "BROAD BASIS ON THE INTERNATIONAL LEVEL." HE SAID HE WAS WELL AWARE OF THE PROBLEM. (AT THIS POINT CANADIAN REP REPORTED ZEMSKOV HAD RECENTLY TOLD HIS AMBASSADOR AT LUNCH THAT THE WEST NEED NOT PASSIVELY ACCEPT TERRORISM IN THE WAY THAT IT DOES.)

5. BERENDONCK SAID THAT ZEMSKOV HAD BEEN WELL PREPARED FOR THE MEETING AND HAD ON THE TABLE A MODEL OF A TU-134 AIRCRAFT WITH A PLAQUE BEARING A MESSAGE OF GRATITUDE TO MFA ON RETURN OF THE CRAFT (HIJACKED TO FINLAND) FROM THE SOVIET MINISTRY OF CIVIL AVIATION.

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 MOSCOW 20504 02 OF 02 261048Z
ACTION EUR-12

INFO OCT-01 ISO-00 HA-05 MCT-02 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 EB-08 INR-10 NSAE-00 FAA-00 L-03
SP-02 SY-05 CA-01 SS-15 NSC-05 VO-05 SMS-01 /077 W
-----119787 261118Z /12

R 261034Z AUG 78
FM AMEMBASSY MOSCOW
TO SECSTATE WASHDC 6070
INFO AMEMBASSY BONN

C O N F I D E N T I A L SECTION 02 OF 02 MOSCOW 20504

6. DURING DISCUSSION OF THE DEMARCHE AMONG REPRESENTATIVES OF THE SEVEN, BERENDONCK'S ASSISTANT, MOCKELMANN, RECALLED THAT THE SOVIET NON-PAPER TO JAPAN HAD MENTIONED A "BILATERAL" SOLUTION ONLY IN THE LAST SENTENCE. HE SAID THAT THE SOVIETS HAD NOT HERETOFORE LAID SUCH STRESS ON THIS ASPECT.

7. IT WAS AGREED THAT THE OTHER SIX EMBASSIES WOULD FOLLOW UP THE APPROACH AS EACH DEEMED APPROPRIATE. BERENDONCK PROMISED TO INFORM THE GROUP ONCE A SOVIET REPLY TO HIS DEMARCHE HAD BEEN RECEIVED.

8. COMMENT: ZEMSKOV'S REFERENCE TO BILATERAL AGREEMENTS AS THE MOST EFFECTIVE WAY OF MEETING THE PROBLEM OF HIJACKING APPEARS TO REPRESENT SOME EVOLUTION OF THE SOVIET DOCTRINE SET FORTH IN THE RESPONSE TO THE JAPANESE AMBASSADOR IN MARCH. IT IS, MOREOVER, CON-

SISTENT WITH THE OVERALL SOVIET INTEREST IN PUSHING
AN "EXTRADITION PRINCIPLE" WHEREBY PERSONS SEEKING
TO FLEE FROM THE USSR BY HIJACKING A SOVIET AIRCRAFT
WOULD BE RETURNED TO THE USSR FOR PUNISHMENT. DESPITE
ZEMSKOV'S REMARKS ABOUT A "PERSONAL" PREFERENCE FOR A
BROAD AND INTERNATIONAL APPROACH TO HIJACKING, WE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 MOSCOW 20504 02 OF 02 261048Z

BELIEVE THAT THE FORMAL SOVIET REPLY TO BERENDONCK'S
DEMARCHE, WHEN IT COMES, IS LIKELY TO EMPHASIZE
BILATERAL AGREEMENTS AS THE BEST SOLUTION TO THE
PROBLEM OF HIJACKING. TOON

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DECLARATION, ANTIHIJACKING PROCEDURES
Control Number: n/a
Copy: SINGLE
Draft Date: 26 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MOSCOW20504
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780349-1146
Format: TEL
From: MOSCOW
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780819/aaaaaqal.tel
Line Count: 186
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 092bf25a-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 MOSCOW 20180, 78 MOSCOW 4042
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 30 jun 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1608095
Secure: OPEN
Status: NATIVE
Subject: APPROACH TO USSR ON BONN SUMMIT ANTI- HIJACKING DECLARATION
TAGS: EAIR, PINR, UR
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/092bf25a-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014